
Emergency Rules

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Electronic Notarization**

EMERGENCY RULE

15 CSR 30-110.040 Remote Online Notarization (RON) Criteria

PURPOSE: This emergency rule states the criteria that remote online notary (RON) must meet for use by electronic notaries in Missouri.

*EMERGENCY STATEMENT: The secretary of state determined that this emergency rule is necessary to preserve a compelling governmental interest. This emergency rule is necessary to address changes made by the legislatures, which took effect on August 28, 2020, to electronic notarization. The secretary of state needs this emergency rule since the Executive Order issued by the governor expired on August 28, 2020. The secretary of state finds there is a compelling governmental interest, which requires this emergency action since due to the pandemic of COVID-19, in person notarization is unable to be performed for wills, powers of attorney, and durable power of attorney in health care decisions. A proposed rule, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 15, 2020, and expires March 13, 2021.*

(1) Remote online notary (RON) must meet the following RON Credential Analysis and Authentication to be approved for use in Missouri:

(A) The software must allow for at least two (2) types of the following:

1. Credential Analysis of Government Issued Identification;
2. Dynamic Knowledge-Based Authentication; and
3. Biometrics;

(B) The software must provide for a live session using audio-video communication integrated with electronic document processing as described in section 110.060, RSMo;

(C) The software must be able to capture the necessary details for the notary to keep an accurate record of the transaction as described in section 110.070, RSMo; and

(D) The software must provide an audit trail for each session as described in section 110.080, RSMo.

*AUTHORITY: section 486.1110, RSMo Supp. 2020. Emergency rule filed Aug. 31, 2020, effective Sept. 15, 2020, expires March 13, 2021. A proposed rule and emergency rule covering this same material will be published in the Oct. 1, 2020, issue of the **Missouri Register**.*

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.